

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product was unfit for food by reason of its strong, musty odor and taste.

DISPOSITION: July 21, 1952. Default decree of condemnation and destruction.

19307. Adulteration of candy. U. S. v. 92 Boxes * * *. (F. D. C. No. 33401. Sample No. 7923-L.)

LABEL FILED: June 16, 1952, Western District of Pennsylvania.

ALLEGED SHIPMENT: On or about May 16, 1952, by the Liberty Chocolate Co., from Boston, Mass.

PRODUCT: 92 boxes of candy at Pittsburgh, Pa.

LABEL, IN PART: (Box) "120 Count 1 Cent Each Pie Plates."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of rodent hairs, rodent excreta, and insect fragments; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: July 29, 1952. Default decree of condemnation and destruction.

19308. Adulteration of glazed apricots. U. S. v. 282 Cases * * *. (F. D. C. No. 33277. Sample Nos. 38371-L, 38373-L.)

LABEL FILED: May 27, 1952, District of New Jersey.

ALLEGED SHIPMENT: On or about December 31, 1951, by the Terrace Candy Co., from Lancaster, Pa.

PRODUCT: 282 cases, each containing 30 pounds, of glazed apricots at Paterson, N. J.

LABEL, IN PART: (Case) "Net Weight 30 Lbs. Foodex Glazed Apricots Product of Cuba."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of insects, insect excreta, and webbing.

DISPOSITION: July 21, 1952. Default decree of condemnation and destruction.

SIRUP

19309. Adulteration and misbranding of sorghum sirup. U. S. v. 186 Cans * * *. (F. D. C. No. 33379. Sample No. 43812-L.)

LABEL FILED: June 2, 1952, Western District of Oklahoma.

ALLEGED SHIPMENT: On or about January 15, 1952, from Wichita Falls, Tex., by Turner Produce.

PRODUCT: 186 cans of sorghum sirup at Elk City, Okla.

LABEL, IN PART: "1 Quart, 1 Pint Turner's Country Made Iowa Sorghum Brand Syrup."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), dextrose and water had been substituted in whole or in part for sorghum.

Misbranding, Section 403 (a), the label statement "Sorghum * * * Syrup" was false and misleading as applied to a mixture containing dextrose and water; Section 403 (b), the article was offered for sale under the name of another food; and, Section 403 (e) (2), the article failed to bear a label containing an accurate statement of the quantity of the contents since the

label statement "1 Quart, 1 Pint" was inaccurate (the article was short volume).

DISPOSITION: July 15, 1952. Default decree of condemnation. The court ordered that the product be delivered to a charitable institution.

19310. Adulteration of sirup (edible molasses). U. S. v. 275 Tins * * *.
(F. D. C. No. 33612. Sample No. 65234-L.)

LIBEL FILED: August 1, 1952, District of Minnesota.

ALLEGED SHIPMENT: On or about July 24, 1947, from Ogden, Utah.

PRODUCT: 275 tins, each containing 54 pounds, of sirup (edible molasses) at Minneapolis, Minn.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance, and of a filthy substance by reason of the presence of insects and rodent hairs. The article was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: September 24, 1952. Default decree of condemnation. The court ordered that the product be destroyed unless denatured for use as animal feed, under the supervision of the Food and Drug Administration.

DAIRY PRODUCTS

BUTTER

The following cases report actions involving butter that consisted in whole or in part of filthy or decomposed substances, No. **19311**; that was below the legal standard for milk fat content, Nos. **19312** to **19319**.

19311. Adulteration of butter. U. S. v. 48 Cases, etc. (F. D. C. No. 33356.
Sample Nos. 44225-L, 44226-L.)

LIBEL FILED: July 24, 1952, District of Massachusetts.

ALLEGED SHIPMENT: On or about July 11, 1952, by American Dairies, Inc., from Kansas City, Mo.

PRODUCT: Butter. 48 cases, each containing 32 1-pound packages, 21 cases, each containing 6 5-pound cartons, and 1 carton, containing 5 pounds, at Boston, Mass.

LABEL, IN PART: (Portion) "Penn Valley Brand Creamery Butter."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy and decomposed substance. (Examination disclosed that the product was made from filthy and decomposed cream.)

DISPOSITION: August 18, 1952. Default decree of condemnation and destruction.

19312. Adulteration of butter. U. S. v. 156 Boxes (9,984 pounds) * * *.
(F. D. C. No. 33376. Sample No. 33723-L.)

LIBEL FILED: May 20, 1952, Northern District of Illinois.

ALLEGED SHIPMENT: On or about May 10, 1952, by the Fort Dodge Creamery Co., from Fort Dodge, Iowa.

PRODUCT: 156 boxes, each containing 64 pounds, of butter at Chicago, Ill.

LABEL, IN PART: "Butter L. D. Schreiber & Co., Inc. Sales Agent for The Marketing Association of America Chicago, Ill."